

FRANK PALLONE, JR., NEW JERSEY
CHAIRMAN

GREG WALDEN, OREGON
RANKING MEMBER

ONE HUNDRED SIXTEENTH CONGRESS
Congress of the United States
House of Representatives
COMMITTEE ON ENERGY AND COMMERCE
2125 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6115

Majority (202) 225-2927
Minority (202) 225-3641

October 8, 2019

Commander Jonathan White
United States Public Health Service Commissioned Corps
Office of the Assistant Secretary for Preparedness and Response
U.S. Department of Health and Human Services
330 Independence Avenue SW
Washington, DC 20201

Dear Commander White:

Thank you for appearing before the Subcommittee on Oversight and Investigations on Thursday, September 19, 2019, at the hearing entitled "Protecting Unaccompanied Children: The Ongoing Impacts of the Trump Administration's Cruel Policies." We appreciate the time and effort you gave as a witness before the Subcommittee on Oversight and Investigations.

Pursuant to Rule 3 of the Committee on Energy and Commerce, members are permitted to submit additional questions to the witnesses for their responses, which will be included in the hearing record. Attached are questions directed to you from members of the Committee. In preparing your answers to these questions, please address your responses to the member who has submitted the questions using the Word document provided with this letter.

To facilitate the publication of the hearing record, please submit your responses to these questions by no later than the close of business on Wednesday, October 23, 2019. As previously noted, this transmittal letter and your responses, as well as the responses from the other witnesses appearing at the hearing, will all be included in the hearing record. Your responses should be transmitted by email in the Word document provided with this letter to Jourdan Lewis with the Committee staff (jourdan.lewis@mail.house.gov). A paper copy of your responses is not required. Using the Word document provided for submitting your responses will also help maintain the proper format for incorporating your answers into the hearing record.

Commander Jonathan White
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Thank you for your prompt attention to this request. If you need additional information or have other questions, please contact Ms. Lewis at (202) 225-2927.

Sincerely,



Frank Pallone, Jr.
Chairman

Attachment

cc: Hon. Greg Walden, Ranking Member, Committee on Energy and Commerce
Hon. Diana DeGette, Chair, Subcommittee on Oversight and Investigations
Hon. Brett Guthrie, Ranking Member, Subcommittee on Oversight and Investigations

**Committee on Energy and Commerce
Subcommittee on Oversight and Investigations**

**Hearing on
“Protecting Unaccompanied Children: The Ongoing Impacts of the Trump
Administration’s Cruel Policies”**

September 19, 2019

**Commander Jonathan White, United States Public Health Service Commissioned Corps,
Office of the Assistant Secretary for Preparedness and Response, U.S. Department of
Health and Human Services**

The Honorable Ann Kuster (D-NH)

1. According to the ORR Policy Manual the use of physical restraint for any child in custody must be "the least restrictive intervention that will be effective to protect the unaccompanied alien child and others from immediate physical harm."
 - a. Do you keep statistics on the use of isolation and other physical restraints of children in care?
 - i. If so, how frequently are these techniques employed?
 - b. What recourse do children have to challenge the use of these restraints?
2. How do you currently track the administration of psychotropic medications to children in custody?
3. On what legal authority does ORR or its contracted providers, authorize the use of psychotropic medications without parental or patient consent?
4. Is there any independent review or oversight of non-consensual administration of psychotropic medication to children in ORR’s custody?

The Honorable Joseph P. Kennedy III (D-MA)

1. Is there a system in place today to track family separations and why was there not one in place when this policy was implemented?
 - a. When this policy was implemented, were there clear standards put in place for CBP officers to determine what merited the separation of a family or was it merely guess work caused by an ill-advised policy?

The Honorable Brett Guthrie (R-KY)

1. Based on your experience working at ORR, is there a need to examine, and possibly amend, the TVPRA with respect to the definition of a UAC so that in addition to parents and legal guardians, children are not separated by DHS from other family members, such as a grandparent or adult sibling?
 - a. Based on your experience at ORR, would you have any concerns or foresee possible unintended consequences of amending that definition?
 - b. Is there a need to further specify when a child can or cannot be separated for cause? For example, specifying what past criminal convictions pose a danger to the child and/or what communicable diseases would warrant a temporary separation?
2. Given you were the point person at HHS for the reunification effort of those included in the *Ms. L* class, are there any issues that ORR faced during the reunification process with respect to interagency coordination and communication that are still unresolved? If so, please describe them.
 - a. Is there anything that Congress can do to help resolve those issues?